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2012 AUG 30 PM 2:01  
 CLERK U.S. DISTRICT COURT  
 CENTRAL DIST. OF CALIF.  
 SANTA ANA

FILED

*Attorneys for Plaintiff and the putative class*

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA**

SHAGHAYEGH MISSAGHI,	)	<b>CV12 - 7472 SJO (Ex)</b>
individually and on behalf of a class of	)	Case No.
similarly situated individuals,	)	
	)	
Plaintiff,	)	<b>CLASS ACTION</b>
	)	<b>COMPLAINT</b>
v.	)	
	)	
THE COCA-COLA COMPANY, a	)	
Georgia corporation,	)	<b>JURY TRIAL DEMANDED</b>
	)	
Defendant.	)	

**CLASS ACTION COMPLAINT**

Plaintiff Shaghayegh Missaghi brings this class action complaint against Defendant The Coca-Cola Company ("Defendant" or "Coca-Cola"), to stop its practice of making unauthorized text message calls to the cellular telephones of consumers nationwide, and to obtain redress for all persons injured by its conduct. Plaintiff, for her class action complaint, alleges as follows upon personal knowledge as to herself and her own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by her attorneys.

**CLASS ACTION COMPLAINT**

YDCC BY FAX

**NATURE OF THE ACTION**

1  
2 1. Defendant is one of the largest beverage and soft-drink manufacturers  
3 in the world. In an effort to promote a variety of its products and services,  
4 Defendant encourages consumers to subscribe to its rewards program. Once  
5 subscribed, Defendant floods consumers' cellular telephones with multiple text  
6 message calls every week, frequently making unwanted text message calls at all  
7 hours of the day.

8 2. Frustrated with Defendant's making of excessive automated text  
9 message calls (hereinafter, "unauthorized messages"), Plaintiff and the other  
10 members of the putative class affirmatively opted-out of receiving further  
11 unauthorized text message calls from Coca-Cola. Despite this, Defendant has  
12 continued to make unauthorized text message calls to Plaintiff and other consumers  
13 throughout the nation long after they have opted-out from receiving any text  
14 message calls from Coca-Cola.

15 3. By making these unauthorized text message calls, Defendant has  
16 caused consumers actual harm, not only because consumers were subjected to the  
17 aggravation that necessarily accompanies the receipt of unauthorized text message  
18 calls, but also because consumers frequently have to pay their cell phone service  
19 providers for the receipt of such unauthorized text message calls.

20 4. In order to redress these injuries, Plaintiff, on behalf of herself and a  
21 nationwide class of similarly situated individuals, brings suit under the Telephone  
22 Consumer Protection Act, 47 U.S.C. § 227, et seq. ("47 U.S.C. § 227"), which  
23 prohibits the making of unsolicited and unauthorized voice and text calls to cell  
24 phones.

25 5. On behalf of the class, Plaintiff seeks an injunction requiring  
26 Defendant to cease the making of all unauthorized message calls and an award of  
27

1 statutory damages to the class members, together with costs and reasonable  
2 attorneys' fees.

### 3 **PARTIES**

4 6. Plaintiff Shaghayegh Missaghi is a natural person and citizen of the  
5 State of Minnesota.

6 7. Defendant The Coca-Cola Company is a corporation incorporated and  
7 existing under the laws of the State of Georgia with its principal place of business  
8 located at 1 Coca Cola Plaza, Atlanta, Georgia 30313. Coca-Cola does business  
9 throughout the United States, the State of California and this District.

### 10 **JURISDICTION**

11 8. The Court has original jurisdiction over this action pursuant to 28  
12 U.S.C. § 1332(d), because (a) at least one member of the putative class is a citizen  
13 of a state different from Defendant, (b) the amount in controversy exceeds  
14 \$5,000,000, exclusive of interest and costs, and (c) none of the exceptions under  
15 that subsection apply to this action.

16 9. The Court has personal jurisdiction over the Defendant because  
17 Defendant conducts operations and sales in California, Defendant is registered to  
18 conduct business in California, and the text message calls alleged herein originated  
19 nationwide from Defendant's agents located in California.

### 20 **VENUE**

21 10. Venue is proper in this District under 28 U.S.C. § 1391(a) because  
22 Defendant resides in this District and because a substantial part of the events  
23 giving rise to the claim occurred in this District, as Defendant's agents that  
24 transmitted the text message calls at issue also reside in this District and the text  
25 messages calls were made by or on behalf of Defendant from this District.

### 26 **COMMON FACTUAL ALLEGATIONS**

1           11. In recent years, marketers who often have felt stymied by federal laws  
2 limiting solicitation by telephone, facsimile machine, and e-mail have increasingly  
3 looked to alternative technologies through which to send bulk correspondence  
4 cheaply.

5           12. A “Short Message Service” or “SMS” is a messaging system that  
6 allows cellular telephone subscribers to use their cellular telephones to send and  
7 receive short text messages, usually limited to 160 characters.

8           13. An “SMS message” is a text message call directed to a wireless device  
9 through the use of the telephone number assigned to the device. When an SMS  
10 message call is successfully made, the recipient’s cell phone rings, alerting him or  
11 her that a call is being received. As cellular telephones are inherently mobile and  
12 are frequently carried on their owner’s person, calls to cellular telephones,  
13 including SMS messages, may be received by the called party virtually anywhere  
14 worldwide.

15           14. Unlike more conventional advertisements, unauthorized telephone  
16 calls to cellular telephones frequently cost the recipients money, because cell  
17 phone users like Plaintiff must pay their respective wireless service providers  
18 either for each text message call they receive or for a text plan that includes a  
19 number of messages, regardless whether or not the message is authorized.

20           15. Beginning at least as early as 2006, Defendant began making and to  
21 this day continues to make text message calls to Plaintiff’s and the other Class  
22 member’s cellular phones without consent.

23           16. For instance, in early 2012, Plaintiff’s cell phone rang, indicating that  
24 a text call was being received. The “from” field of such transmission was identified  
25 cryptically as “2653,” a format which is an abbreviated telephone number known  
26 as an SMS short code operated by Defendant’s agents. The body of such text  
27

1 message read:

2           MyCokeRewards: Enter now for your chance to win  
3           Coke(R) and Pringles(R) for a year.  
4           <http://cokeurl.com/mSnacks> NoPurNec. Ends 2/29/12.  
5           Reply HELP for help.

6           17. Each text message call made by or on behalf of Defendant contained  
7 a URL (e.g., <http://cokeurl.com/mSnacks> and <http://cokeurl.com/newFB>) that  
8 directed consumers to websites owned and operated by Defendant.

9           18. None of the text message advertisements made by Defendant provided  
10 Plaintiff with an opportunity to opt-out of receiving future messages.

11           19. Nevertheless, Plaintiff texted “STOP” to “2653” in an attempt to opt-  
12 out of receiving future text message calls from Defendant. Unfortunately,  
13 Defendant ignored Plaintiff’s request and continued to bombard her cell phone  
14 with unauthorized text message calls advertising its products.

15           20. In or around July 2012, Plaintiff again attempted to affirmatively opt-  
16 out of receiving Defendant’s text message calls by texting “STOP” to “2653.”  
17 Instead of honoring Plaintiff’s request, Defendant made another text message call  
18 to Plaintiff that read:

19           Coca-Cola: Reply STOP1 for MyCokeRewards, Reply  
20           STOP3 for Move to the Beat

21           21. Plaintiff responded to the above text message call by sending the  
22 message “STOP3” to “2653.” Thereafter, Defendant made the following text  
23 message call to Plaintiff:

24           Coca-Cola: Hey, we don’t recognize your number. Please  
25           text using the phone that you used to sign up or go to  
26           [www.coca-cola.com/theolympics](http://www.coca-cola.com/theolympics) Txt STOP to stop

27           22. Plaintiff responded to that text call by sending the text message  
28 “STOP” to “2653.” Notwithstanding, Defendant ignored Plaintiff’s “STOP”

1 request and proceeded to make the following consecutive text message calls to  
2 Plaintiff:

3 Coca-Cola: Reply STOP1 for MyCokeRewards, Reply  
4 STOP3 for Move to the Beat

5 \* \* \*

6 Coca-Cola: Hey, we don't recognize your number. Please  
7 text using the phone that you used to sign up or go to  
8 [www.coca-cola.com/theolympics](http://www.coca-cola.com/theolympics) Txt STOP to stop

9 23. Plaintiff responded to those text calls by sending the text message  
10 "STOP1" to "2653." Defendant then transmitted the following text message to  
11 Plaintiff's cellular phone:

12 MyCokeRewards: Sorry to see you go. You will not  
13 receive future messages from My Coke Rewards. Reply  
14 HELP for help. [mycokerewards.com](http://mycokerewards.com)

15 24. Subsequently, on or around August 10, 2012, and despite its own  
16 confirmation that it would no longer make text message calls to Plaintiff's cell  
17 phone, Defendant ignored Plaintiff's opt-out requests, and made the following text  
18 message call to her cellular phone:

19 MyCokeRewards: You can save 25% at T-Shirts.com on  
20 a huge selection of shirts the whole family can enjoy.  
21 Discounts @ [cokeurl.com/mTee](http://cokeurl.com/mTee) Reply HELP for help

22 25. Then again, on or around August 17, 2012, and despite its own  
23 confirmation that it would no longer make text message calls to Plaintiff's cell  
24 phone, Defendant again ignored Plaintiff's opt-out requests, and made the  
25 following text message call to her cellular phone:

26 MyCokeRewards: Check out the My Coke Rewards Fan  
27 Relay video. Watch to see if you have a cameo  
28 appearance. [CokeURL.com/mRlay](http://CokeURL.com/mRlay). Text HELP for help.





1 represent and protect the interests of the Class, and has retained counsel competent  
 2 and experienced in complex class actions. Plaintiff has no interest antagonistic to  
 3 those of the Class, and Defendant has no defenses unique to Plaintiff.

4       **33. Commonality and Predominance:** There are many questions of law  
 5 and fact common to the claims of Plaintiff and the Class, and those questions  
 6 predominate over any questions that may affect individual members of the Class.  
 7 Common questions for the Class include, but are not necessarily limited to the  
 8 following:

9               (a) whether Defendant's conduct constitutes a violation of the  
 10               TCPA;

11               (b) whether the equipment Defendant used to make the text  
 12               message calls in question was an automatic telephone dialing  
 13               system as contemplated by the TCPA; and

14               (c) whether Class members are entitled to treble damages based on  
 15               the willfulness of Defendant's conduct.

16       **34. Superiority:** This case is also appropriate for class certification  
 17 because class proceedings are superior to all other available methods for the fair  
 18 and efficient adjudication of this controversy because joinder of all parties is  
 19 impracticable. The damages suffered by the individual members of the Class will  
 20 likely be relatively small, especially given the burden and expense of individual  
 21 prosecution of the complex litigation necessitated by Defendant's actions. Thus, it  
 22 would be virtually impossible for the individual members of the Class to obtain  
 23 effective relief from Defendant's misconduct. Even if members of the Class could  
 24 sustain such individual litigation, it would still not be preferable to a class action,  
 25 because individual litigation would increase the delay and expense to all parties  
 26 due to the complex legal and factual controversies presented in this Complaint. By  
 27



1 contrast, a class action presents far fewer management difficulties and provides the  
2 benefits of single adjudication, economy of scale, and comprehensive supervision  
3 by a single Court. Economies of time, effort and expense will be fostered and  
4 uniformity of decisions ensured.

5 **FIRST CAUSE OF ACTION**  
6 **Violation of 47 U.S.C. § 227**  
7 **(On behalf of Plaintiff and the Class)**

8 35. Plaintiff incorporates by reference the foregoing allegations as if fully  
9 set forth herein.

10 36. Defendant made unsolicited commercial text message calls to the  
11 wireless telephone numbers of Plaintiff and the Class using equipment that, upon  
12 information and belief, had the capacity to store or produce telephone numbers to  
13 be called, using a random or sequential number generator.

14 37. These text message calls were made *en masse* and without the prior  
15 express consent of the Plaintiff and the other members of the Class.

16 38. Defendant has, therefore, violated 47 U.S.C. § 227(b)(1)(A)(iii). As a  
17 result of Defendant's illegal conduct, the members of the class suffered actual  
18 damages and, under section 227(b)(3)(B), are each entitled to, *inter alia*, a  
19 minimum of \$500.00 in damages for each violation of such act.

20 39. Because Defendant's misconduct was willful and knowing, the Court  
21 should, pursuant to section 47 U.S.C. § 227(b)(3)(C), treble the amount of statutory  
22 damages recoverable by the Plaintiff and the other members of the Class.

23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff Shaghayegh Missaghi, individually and on behalf  
25 of the Class, prays for the following relief:

- 26 (a) An order certifying the Class as defined above, appointing  
27 Plaintiff Shaghayegh Missaghi as the representative of the  
Class, and appointing her counsel as Class Counsel;

28 

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CLASS ACTION COMPLAINT

- (b) An award of actual and statutory damages;
- (c) An injunction requiring Defendant to cease all unsolicited text message activities, and otherwise protecting the interests of Plaintiff and the Class;
- (d) An award of reasonable attorneys' fees and costs; and
- (e) Such other and further relief that the Court deems reasonable and just.

**JURY DEMAND**

Plaintiff requests a trial by jury of all claims that can be so tried.

Respectfully submitted,

Dated: August 30, 2012

**SHAGHAYEGH MISSAGHI**, individually  
and on behalf of all others similarly situated,

By: 

One of Plaintiff's Attorneys

SEAN P. REIS (SBN 184044)  
(sreis@edelson.com)  
EDELSON MCGUIRE LLP  
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Telephone: (949) 459-2124  
Facsimile: (949) 459-2123

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

**CV12-7472 SJO (Ex)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

☐ **Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

☐ **Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

☐ **Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> SHAGHAYEGH MISSAGHI, individually and on behalf of a class of similarly situated individuals,	<b>DEFENDANTS</b> THE COCA-COLA COMPANY, a Georgia corporation,
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Sean Reis, Edelson McGuire LLP, 30021 Tomas Street, Suite 300, Rancho Santa Margarita, CA 92688 (949) 459-2124	Attorneys (If Known)

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:40%;">Citizen of This State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td></td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td></td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF		<input type="checkbox"/> 1	<input type="checkbox"/> 1		<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
Citizen of This State	PTF	DEF	Incorporated or Principal Place of Business in this State	PTF	DEF																				
	<input type="checkbox"/> 1	<input type="checkbox"/> 1		<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

**IV. ORIGIN** (Place an X in one box only.)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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**V. REQUESTED IN COMPLAINT:** JURY DEMAND: ☒ Yes   ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION under F.R.C.P. 23:** ☒ Yes   ☐ No     **MONEY DEMANDED IN COMPLAINT:** \$ 5,000,000+

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
 28 U.S.C. § 1332(d) (jurisdiction); 47 U.S.C. § 227

**VII. NATURE OF SUIT** (Place an X in one box only.)

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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**CV12 - 7472 SJO (Ex)**

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.



UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Minnesota

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

**\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties****Note:** In land condemnation cases, use the location of the tract of land involved \_\_\_\_\_

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_ Date 8-30-12

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

## Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))